

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No.: 04-11878-RCL

QWEST COMMUNICATIONS INTERNATIONAL INC., a Delaware corporation,

Plaintiff,

v.

CONQWEST, INC., a Massachusetts corporation,

Defendant.

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE
REPLY IN SUPPORT OF MOTION TO AMEND THE COMPLAINT**

Plaintiff, Qwest Communications International Inc. ("Qwest"), through its undersigned counsel, hereby respectfully submits its Unopposed Motion For Leave to File Reply in Support of Motion to Amend the Complaint in this case. In support, Plaintiff states:

1. Pursuant to LR 7.1(B)(3) leave shall be sought before a party may file any reply to an opposition to a motion with the Court.
2. Plaintiff Qwest seeks leave to file a reply not for the purpose of rearguing the points made in their initial Motion, but instead to rebut certain narrow points raised in Defendant's Opposition primarily concerning (i) this Court's concurrent jurisdiction (along with Trademark Trial and Appeal Board) to properly determine the cancellation of a trademark, and (ii) Defendant's representations concerning necessary discovery.
3. A copy of the Reply for which this leave is being sought (with the accompanying exhibit) is attached to this Motion as Exhibit A.

4. The Defendant ConQwest does not oppose this Motion seeking leave to allow Qwest to file a Reply.

WHEREFORE, the Plaintiff requests that this Court grant it leave to file a Reply in support of its Motion to Amend the Complaint, in the form of the Reply submitted to this Court with this Motion.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

The undersigned counsel for Plaintiff in this matter spoke with counsel for Defendant, Rich Cheslotska, on March 23, 2005 regarding the subject matter of this motion, and as noted above, Defendant does not oppose this motion for leave to allow Plaintiff to file a reply.

Dated: March 23, 2005.



Christopher Weld, Jr. (BBO # 522230)
Raymond P. Ausrotas (BBO # 640315)
28 State Street, 31st Floor
Boston, MA 02109
(617) 720-2626
(617) 227-5777 (facsimile)

Kurt S. Lewis (Colo. Reg. No. 11,386)
LEWIS MEYERS & SCHEID LLC
2300 Fifteenth Street, Suite 320
Denver, Colorado 80202
(303) 534-5040
(303) 534-5039 (facsimile)

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail and on electronic service upon filing in accordance with local rules on 3-23-05 -



ATTORNEYS FOR PLAINTIFF